

**Notice of Allowability**

Application No.

09/533,263

Examiner

Ricardo Pizarro

Applicant(s)

WALKOE ET AL.

Art Unit

2661

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/2/05.
2. ☒ The allowed claim(s) is/are 49, 51, 53-54, 58-59, 61 and 60. They have been renumbered 1-8 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**Examiner's statement of reasons for Allowance**

The following is an examiner's statement of reasons for allowance: For claim 49, the prior art of record does not teach or fairly suggest a method of placing a telephone voice call over a PSTN comprising providing a subscriber loop in communication with the PSTN, the subscriber loop having an analog telephone voice line and a digital data line that comprises a digital telephone voice line; and placing a telephone voice call from a digital telephone and sending the telephone voice call on the subscriber loop to the PSTN, sending a packetized digital data stream over a subscriber data network to the digital telephone voice line, removing the packetized digital data stream from the subscriber loop and transmitting the packetized digital data stream to a switch in communication with the PSTN via a data network.

For claim 54, the prior art of record does not teach or fairly suggest a telephone communication system comprising at least one digital telephone in communication with a digital telephone voice line on a digital data line; and at least one POTS telephone; a network interface device connected to a subscriber loop, wherein the network interface device comprises a signal splitter, the subscriber loop carrying the digital data line and the analog telephone line on a common communication medium; and a central office switch configured to communicate with the subscriber loop, the CO switch comprising: a splitter, wherein the digital data line signals comprise digital telephone voice line voice signals a local telephone switching device in communication with the splitter, the local telephone device configured to receive the analog voice signals for transmission over a PSTN and a digital subscriber line

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access multiplexer in communication with the splitter for multiplexing the digital data line signals into a format for transport over a data network and a tandem location in communication with the data network.

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For claim 60, the prior art of record does not teach or fairly suggest a telephone communication system comprising: at least one digital telephone in communication with a digital telephone voice line on a digital data line, wherein the digital data line comprises an ADSL having an ATM protocol and at least one POTS telephone in communication with an analog telephone line; a NIC device connected to a subscriber loop, wherein the NIC comprises a signal splitter, the subscriber loop carrying the digital data line and the analog telephone line on a common communication medium comprising a copper twisted pair; and a CO switch configured to communicate with the subscriber loop, the central office switch having a splitter for separating signals on the subscriber loop into analog telephone line telephone voice signals and digital data line signals, wherein the digital data line signals comprise digital telephone line voice signals.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ricardo Pizarro** whose telephone number is (571) 272-3077. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:00 PM. The fax number for this Group is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Hassan Kizou** can be reached on (571) 272-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 23, 2006  
Ricardo Pizarro

  
**HASSAN KIZOU**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600